



MEMO ENDORSED

JAMES E. JOHNSON
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November 16, 2020

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Christopher Wallace v. New York City Department of Education
Case No. 20 Civ. 01424

Dear Judge Failla:

I am the Assistant Corporation Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, assigned to represent Defendant New York City Department of Education ("DOE") in the above-captioned proceeding. Defendant respectfully requests that the Court withdraw its settlement conference order. After further discussion with our client, this office does not wish to settle this case at this moment and intends on filing a fully dispositive motion for summary judgment in accordance with Your Honor's Individual Rules of Practice in Civil Cases. As such, any settlement conference would be futile. Plaintiff's counsel believes settlement is in the best interests of both parties, however, does not oppose this request to rescind the settlement conference order. Defendant apologizes in advance for any inconvenience this request may cause.

Respectfully submitted,

/s/ **M. Adil Yaqoob**
Assistant Corporation Counsel

CC: Justin S. Clark, Esq (via ECF) Attorney for Plaintiff
Levine & Blit, PLLC
350 Fifth Avenue, Suite 4020
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Application GRANTED.

Dated: November 16, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE